

or if such certificate, policy, contract or membership is to be paid at maturity in anything except money; and providing that any person, corporation, insurance company, fraternal organization, burial association or other association violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of not less than ten dollars (\$10) nor more than two hundred fifty dollars (\$250), each sale of any such policy, contract or membership shall constitute a separate offense, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,  
Austin, Texas, May 14, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 664, "An Act to amend Article 2905, Revised Civil Statutes, State of Texas, 1925, conferring the authority upon the county school trustees to exercise the right of eminent domain to acquire title to real property for common school districts and independent school districts having fewer than one hundred fifty (150) scholastics; repealing all laws in conflict herewith, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,  
Austin, Texas, May 15, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1047, "An Act to amend Senate bill No. 139 as enacted by the Forty-second Legislature at its Regular Session, the purpose of which was to authorize county boards of school trustees in certain counties of Texas to employ rural school supervisors in lieu of holding teachers' institutes, outlining their qualifications, defining their duties, fixing their compensation, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

# FIFTY-SIXTH DAY.

(Saturday, May 16, 1931.)

The House met at 9 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Minor.

The roll was called and the following members were present:

Adams of Jasper.	Holder.
Adamson.	Holland.
Adkins.	Holloway.
Akin.	Hoskins.
Albritton.	Howsley.
Alsup.	Hubbard.
Baker.	Hughes.
Barron.	Jackson.
Beck.	Johnson
Bedford.	of Dallam.
Bond.	Johnson
Bounds.	of Dimmit.
Boyd.	Johnson of Morris.
Brice.	Jones of Shelby.
Brooks.	Jones of Atascosa.
Bryant.	Kayton.
Burns of Walker.	Keller.
Burns	Kennedy.
of McCulloch.	Laird.
Carpenter.	Lasseter.
Caven.	Lemens.
Coltrin.	Leonard.
Coombes.	Lilley.
Cox of Limestone.	Lockhart.
Dale.	McCombs.
Daniel.	McDougald.
Davis.	McGill.
DeWolfe.	McGregor.
Dodd.	Magee.
Donnell.	Martin.
Dowell.	Metcalfe.
Dunlap.	Moffett.
Duvall.	Moore.
Elliott.	Morse.
Engelhard.	Munson.
Farmer.	Murphy.
Farrar.	O'Quinn.
Ferguson.	Patterson.
Finn.	Pope.
Fisher.	Ramsey.
Forbes.	Ratliff.
Ford.	Ray.
Gilbert.	Reader.
Giles.	Richardson.
Goodman.	Rountree.
Graves.	Sanders.
Greathouse.	Satterwhite.
Hanson.	Savage.
Harman.	Scott.
Harrison	Shelton.
of El Paso.	Sherrill.
Harrison	Smith of Bastrop.
of Waller.	Smith of Wood.
Hatchitt.	Sparkman.
Herzik.	Stephens.
Hill.	Stevenson.
Hines.	Steward.

Strong.	Wagstaff.
Sullivan.	Walker.
Tarwater.	Warwick.
Terrell	Weinert.
of Val Verde.	West of Coryell.
Towery.	Wiggs.
Turner.	Wyatt.
Van Zandt.	Young.
Veatch.	

Absent.

Hardy.	Nicholson.
Hefley.	Olsen.
Long.	Petsch.

Absent—Excused.

Adams of Harris.	Lee.
Anderson.	Mathis.
Bradley.	Mehl.
Claunch.	Rogers.
Cox of Lamar.	Terrell
Cunningham.	of Cherokee.
Dwyer.	Vaughan.
Fuchs.	West of Cameron.
Grogan.	Westbrook.
Justiss.	

A quorum was announced present.  
Prayer was offered by the Rev.  
John W. Holt, Chaplain.

#### LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Justiss for today, on motion of Mr. Bounds.

Mr. Mehl for today, on motion of Mr. Reader.

Mr. Fuchs for today, on motion of Mr. Wiggs.

Mr. Grogan for today, on motion of Mr. Lilley.

Mr. Graves for yesterday, on motion of Mr. Dodd.

Mr. Rogers for today, on motion of Mr. Savage.

Mr. Lee for today, on motion of Mr. Burns of McCulloch.

Mr. West of Cameron for today, on motion of Mr. Lasseter.

Mr. Vaughan for today, on motion of Mr. Harman.

Mr. Adams of Harris for today, on motion of Mr. Harman.

Mr. Anderson for today, on motion of Mr. Martin.

Mr. Cox of Lamar and Mr. Mathis for today, on motion of Mr. McDougald.

The following member was granted leave of absence on account of illness:

Mr. Cunningham for today, on motion of Mr. Leonard.

#### COMMUNICATION TO HON. FRANK PATTERSON.

On motion of Mr. Patterson, the following communication was ordered printed in the Journal:

Cassaday Grey Granite Co., Inc.

Llano, Texas, May 14, 1931.

Hon. Frank P. Patterson, Member of the House of Representatives, Austin, Texas.

Dear Sir: Please permit us to express to you our sincere appreciation of the stand you and other members of the House have taken in the matter of material for the proposed memorial on the Capitol Grounds for the first members of the Supreme Court.

The people of Texas are learning and appreciating the use of our own natural products and resources, and this fact has certainly been shown by the many protests made against the use of Georgia marble for this memorial.

However, this is no more ridiculous than some other of our native products—such as wool, mohair, cotton, etc.—which are “juggled” around from Texas to the North and East and then shipped back to us in the finished materials for use.

For the past ten years we have been preaching the gospel “Texas products for Texas people,” and we hope within the next decade that the people of Texas shall learn the full meaning of this slogan.

Yours very truly,

CASSADAY GREY GRANITE CO.,  
INC.,

O. F. Barnett, Sec’y.

#### HOUSE BILL NO. 856 WITH SEN- ATE AMENDMENTS.

Mr. Terrell of Val Verde called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 856, A bill to be entitled “An Act amending Articles 2702, 2703 and 2724, of the Revised Statutes of Texas, 1925, relating to the county unit system of education, and declaring an emergency.”

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Terrell of Val Verde, the House concurred in the Senate amendments.

# HOUSE CONCURRENT RESOLUTION NO. 58 WITH SENATE AMENDMENTS.

Mr. Terrell of Val Verde called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. C. R. No. 58, Relating to consolidating certain State departments.

The Speaker laid the resolution before the House and the Senate amendments were read.

On motion of Mr. Terrell of Val Verde, the House concurred in the Senate amendments.

# HOUSE BILL NO. 950 WITH SENATE AMENDMENTS.

Mr. Wagstaff called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 950, A bill to be entitled "An Act amending Section 8 of Chapter 274 of the General Laws of the Regular Session of the Forty-first Legislature, which chapter relates to the regulation of local mutual aid associations paying death benefits operating an insurance business and paying benefits where funds are provided by assessments on members and which Section 8 thereof relates to such associations being mutual in character, and providing for non-personal capacity by virtue of any policy issued or claims arising thereon by adding to said Section 8 a provision authorizing such associations to issue policies of group insurance so that the same policy may cover the lives of two or more individuals who are members thereof, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

Mr. Wagstaff moved that the House do not concur in the Senate amendments, and that a free conference committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

# HOUSE BILL NO. 1026 WITH SENATE AMENDMENTS.

Mr. Martin called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 1026, A bill to be entitled "An Act fixing the venue of suits

brought on policies and contracts made by fraternal benefit societies, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Martin, the House concurred in the Senate amendments by the following vote:

Yeas—101.

Mr. Speaker.	Johnson
Adams of Jasper.	of Dimmit.
Adamson.	Johnson of Morris.
Akin.	Jones of Shelby.
Albritton.	Jones of Atascosa.
Alsup.	Kayton.
Baker.	Keller.
Bedford.	Kennedy.
Bond.	Lasseter.
Bounds.	Lemens.
Bcyd.	Lilley.
Brice.	McDougald.
Brooks.	McGill.
Bryant.	McGregor.
Burns of Walker.	Magee.
Burns	Martin.
of McCulloch.	Metcalfe.
Carpenter.	Moffett.
Coltrin.	Moore.
Coombes.	Munson.
Cox of Limestone.	Murphy.
Dale.	Patterson.
Daniel.	Pope.
DeWolfe.	Ramsey.
Dodd.	Ratliff.
Donnell.	Ray.
Dowell.	Richardson.
Duvall.	Rountree.
Elliott.	Satterwhite.
Engelhard.	Savage.
Farmer.	Scott.
Ferguson.	Shelton.
Fisher.	Sherrill.
Forbes.	Smith of Bastrop.
Ford.	Sparkman.
Gilbert.	Stephens.
Giles.	Steward.
Goodman.	Strong.
Graves.	Tarwater.
Hanson.	Terrell of Val Verde.
Harman.	Towery.
Hatchitt.	Turner.
Herzik.	Van Zandt.
Hill.	Veatch.
Hines.	Wagstaff.
Holland.	Walker.
Holloway.	Warwick.
Hoskins.	Weinert.
Hubbard.	West of Coryell.
Hughes.	Wiggs.
Johnson	Wyatt.
of Dallam.	Young.

Present—Not Voting.

Farrar.

## Absent.

Adkins.	Jackson.
Barron.	Laird.
Beck.	Leonard.
Caven.	Lockhart.
Davis.	Long.
Dunlap.	McCombs.
Finn.	Morse.
Greathouse.	Nicholson.
Hardy.	Olsen.
Harrison	O'Quinn.
of El Paso.	Petsch.
Harrison	Reader.
of Waller.	Sanders.
Hefley.	Smith of Wood.
Holder.	Stevenson.
Howsley.	Sullivant.

## Absent—Excused.

Adams of Harris.	Justiss.
Anderson.	Lee.
Bradley.	Mathis.
Claunch.	Mehl.
Cox of Lamar.	Rogers.
Cunningham.	Terrell of Cherokee.
Dwyer.	Vaughan.
Fuchs.	West of Cameron.
Grogan.	Westbrook.

**GRANTING DISTRICT JUDGE  
LEAVES OF ABSENCE  
FROM STATE.**

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 52, Granting Judge R. T. Wilkinson leaves of absence.

Be it resolved by the Senate of Texas, the House of Representatives concurring, that Hon. R. T. Wilkinson, judge of the Seventy-sixth Judicial District of Texas, be, and he is hereby, granted permission to be absent from the State of Texas at such intervals and for such time as he may see fit and proper during the years 1931 and 1932.

The resolution was read second time, and was adopted.

**CONFERENCE COMMITTEE AP-  
POINTED ON HOUSE BILL  
NO. 950.**

The Speaker announced the appointment of the following conference committee on House bill No. 950: Messrs. Wagstaff, Davis, Hardy, Metcalfe and Burns of McCulloch.

**RELATIVE TO REPAIRING THE  
CAPITOL BUILDING.**

Mr. Cox of Limestone offered the following resolution:

H. C. R. No. 67, Relative to repairing the State Capitol building.

Whereas, The Texas Capitol is one of the outstanding and imposing structures of the world and should be, and is, the pride of the people of Texas; and

Whereas, Said building has stood for more than a half century without alteration and without repairs; and

Whereas, The Capitol building is drifting into a state of bad repair, leaks in many places and is gradually becoming a fire hazard, all of which should be remedied and repaired; and

Whereas, The magnitude of such repairs and remedies is so great that a preliminary investigation should be made to ascertain what repairs and remedies are necessary; therefore, be it

Resolved, That the Speaker of the House appoint three members of the House, and the President of the Senate appoint two members of the Senate, as a committee to make a thorough investigation of the defects in said building occasioned by wear and tear and time and weather, and of the fire hazards existing in said building, and to make a full and complete report to the Legislature, should it convene in a Special Session, or to the next Legislature, should this one not reconvene in a Special Session. That said committee while actually engaged in making such an investigation shall receive their necessary expenses while in the exercise of their duties hereunder, and shall hire the necessary secretary and such technical help as may be necessary to make a complete survey of said building and report the same as herein provided. That the expense incident to the carrying out of this resolution be paid out of the Contingent Expense Fund of the Forty-second Legislature.

COX of Limestone,  
McGREGOR,  
GRAVES,  
FERGUSON.

The resolution was read second time.

On motion of Mr. Wiggs, the resolution was referred to the Committee on Public Lands and Buildings.

**HOUSE BILL NO. 805 ON SEC-  
OND READING.**

The Speaker laid before the House, as pending business, on its passage to engrossment,

H. B. No. 805, A bill to be entitled "An Act making appropriations to pay miscellaneous claims against the State of Texas, and authorizing payment of said miscellaneous items to taking effect of this act, and declaring an emergency."

The bill having heretofore been read second time.

Mr. Brooks offered the following (committee) amendments to the bill:

(1)

Amend House bill No. 805 by striking out Items Nos. 13 and 14 under Section 1, that read:

To pay J. C. Abney, Austin, Texas, for services rendered as Special Chief Justice of the Court of Civil Appeals of the Third Supreme Judicial District of Texas.....\$ 75.65

To pay Roy L. Walker, Austin, Texas, for services rendered as Associate Special Chief Justice of the Court of Civil Appeals of the Third Judicial District of Texas... 76.65

(2)

Amend House bill No. 805 by adding to end of Section 1 the following miscellaneous claims, to be known as Section 1b:

To pay Grayburg Oil Co., San Antonio, Texas, for refund of overpayment of occupation tax .....\$ 3,254.94

To pay Rio Grande Oil Co., El Paso, Texas, for refund of overpayment of occupation tax ..... 1,059.84

To pay J. P. Trout, Bowie, Texas, for refund of overpayment of occupation tax ..... 203.19

To pay Real Service Station, Amarillo, Texas, for refund of overpayment of occupation tax ..... 196.00

To pay Sun Oil Co., First National Bank Building, Dallas, Texas, for refund of overpayment of filing fee ..... 2,550.00

To pay W. L. Douglas Shoe Co., Brockton, Mass., for overpayment of filing fee 1,670.00

To pay Alex Sprunt & Son, Houston, Texas, for overpayment of filing fee.... 1,540.00

To pay O. W. Blocker, New Boston, Texas, for commission for collecting delinquent taxes in the county of Bowie..... 2,000.00

To pay Anna C. Tobin et al., Austin, Texas, relating to the sale and condemnation of twenty-six acres of land in Austin, Texas, for the University of Texas campus, as follows:

To pay James Cavanaugh, Anna C. Tobin, in her own right, and as sole independent executrix of the last will of Mary Cavanaugh, deceased, and James Cavanaugh, Jr., \$15,895.06, as their respective interests may appear, in full settlement and payment of their claim, and to pay Anna C. Tobin \$10,000 in addition, in full payment of her claim, growing out of and relating to the condemnation of twenty-six acres of land in Austin, Texas, lying between Nineteenth and Twenty-first Streets and between Speedway and Waller Creek, under the Act of the Legislature of 1921, Senate bill No. 111, designating said twenty-six acres to be a part of the University of Texas campus, said claim to be paid by warrant drawn by the Comptroller of Public Accounts, payable to all of them, and when said claim has been receipted by all of them and filed with the said Comptroller, aggregating the sum of ..... 25,895.06

To pay the Chicago, Rock Island and Gulf Railway Co., Fort Worth, Texas, for refund for overpayment of filing fee..... 400.00

To pay Economy Electrical Supply Co., Inc., Fort Worth, Texas, for payment for supplies sold to the State Prison System.. 27.99

To pay Consolidated Textile Corp., 86 Worth St., New York, N. Y., for refund for over-payment of filing fee .....	2,500.00	ment of deficiency warrants Nos. 1702 and 2174 (\$7 and \$10 respectively.)	17.00
To pay Amerada Petroleum Corp., 65 Broadway, New York, N. Y., for refund for over-payment of filing fee .....	2,630.00	To pay Wm. Walterscheid, Muenster, Texas, for refund of double assessment of taxes.....	17.05
To pay the Barber Asphalt Co., 1600 Arch St., Philadelphia, Pa., for refund of over-payment of filing fee .....	2,500.00	To pay Dr. Willis W. Waite, M. D., 522 Roberts-Banner Bldg., El Paso, Texas, for laboratory services rendered in investigating suspected epidemic of bubonic plague at Midland, Texas, February, 1925...	250.00
To pay Southern Pacific Railway Co., Houston, Texas, for construction of tail track for the National Guard at Camp Palacios, Texas .....	2,042.96	To pay Frank Cobble, Gainesville, Texas, for refund of over-payment of inheritance tax commission in the case of Wm. Enderby, deceased.....	6.00
To pay J. W. Adamson, Denison, Texas, for refund of over-payment of State taxes .....	6.90	To pay Houston Land & Trust Co., Houston, Texas, for over-payment of inheritance tax in the case of Mrs. Matilda Francis, deceased, estate .....	100.00
To pay G. W. Witt, Cookeville, for payment of meadow and store-house damage by fire due to maintenances forces burning grass on Highway No. 1 .....	369.50	To pay Will Reinhardt, Austin, Texas, for over-payment of State taxes.....	39.80
To pay B. C. Beasley, Bonham, Texas, for refund of over-payment of State taxes .....	53.84	To pay City Marshal, Marshall, Texas, for non-payment of gasoline tax warrant .....	22.84
To pay R. J. Flanagan, Sugarland, Texas, for payment for services rendered Texas Prison System as farm supervisor, from Feb. 1, 1930, to Dec. 31, 1930.....	916.66	To pay W. D. Bailey, care Ft. Worth National Bank, Ft. Worth, Texas, for non-payment of gasoline tax warrant .....	10.68
To pay R. S. & B. B. Windham, Rankin, Texas, for refund of over-payment of State taxes.....	77.76	To pay Mrs. Jackolena King, Batesville, Texas, for burning of her home by officials due to disinfecting .....	1,500.00
To pay First State Bank, Texline, Texas, for payment of non-payment of gasoline tax refund warrant No. 34778.....	6.60	To pay Republic Production Co., Houston, care Rolland Bradley, House of Representatives, Austin, Texas, for over-payment of filing fee .....	2,040.00
To pay D. H. Bell, Rusk, Texas, for refund of over-payment of State taxes..	30.03	To pay Woodson Lumber Co., Madisonville, Texas, for lumber sold to Texas Prison System.....	98.51
To pay Universal Life Insurance, Memphis, Tenn., for refund of over-payment of occupation tax..	730.87	To pay J. S. Yeager, Putnam, Texas, for expenses while in employment of Highway Department....	69.33
To pay Joseph P. Berger, Uvalde, Texas, for payment relative to non-pay-		To pay Humble Oil & Refining Co., Houston, Texas, for over-payment of rent on State Land Lease	8,529.00

To pay estate of Mrs. Maggie Brashear, Houston, Texas, for refund of over-payment of inheritance tax .....	2,624.18
To pay Galveston Electric Co., Galveston, Texas, for refund of over-payment of gross receipts tax....	165.66
To pay Atlantic Life Insurance Co., Richmond, Va., for refund of over-payment of occupation tax...	2,850.66
To pay Texas Ice & Refrigeration Co., Fort Worth, Texas, for refund of over-payment of franchise tax .....	549.75
To pay American Ice & Storage Co., Fort Worth, Texas, for refund of over-payment of franchise tax .....	613.33
Total Miscellaneous Claims.....	\$70,165.93

(Mr. Duvall in the chair.)

The amendments were severally adopted.

Mr. Brooks offered the following (committee) amendment to the bill:

Amend House bill No. 805 by adding to end of Section 1b the following list of sheriff claims, to be known as Section No. 2:

To pay Geo. T. Bevel, Pittsburg, Texas, for extradition expense for out-of-State trips for fugitives..\$	184.84
To pay John T. Carlisle, Giddings, Texas, for extradition expense for out-of-State trips for fugitives .....	283.08
To pay G. H. Corn, Baird, Texas, for attaching out-county witnesses .....	20.00
To pay W. Frank Edmondson, Vernon, Texas, for extradition expense for out-of-State trips for fugitives .....	140.46
To pay T. H. Garner, Beaumont, Texas, for extradition expense for out-of-State trips for fugitives.	407.36
To pay L. V. Hightower, Liberty, Texas, for extradition expense for out-of-State trips for fugitives.	46.67

To pay S. H. Hall, Hemp-hill, Texas, for extradition expense for out-of-State trips for fugitives.	370.94
To pay D. M. Hassler, Stephenville, Texas, for extradition expense for out-of-State trips for fugitives .....	370.94
To pay C. S. Looney, Cisco, Texas, for extradition expense for out-of-State trips for fugitives.....	43.70
To pay V. Y. Sadler, Stanton, Texas, for services rendered in-county .....	686.20
To pay J. B. Self, Seymour, Texas, for services rendered in-county.....	922.95
To pay David Terry, Fairfield, Texas, for extradition expense for out-of-State trips for fugitives.	294.00
To pay Ate Reece, Gainesville, Texas, for extradition expense in returning fugitives from Chicago, Ill., to Cooke county, Texas .....	186.43
To pay J. W. Stewart, Corsicana, Texas, for extradition expense in returning fugitives from Key West, Fla., to Navarro county, Texas .....	347.10
To pay Love Kimbrough, Brady, Texas, for extradition expense in returning fugitive from San Bernardino, Cal., to McCulloch county, Texas .....	156.87
To pay A. B. McKenzie, Groesbeck, Texas, for extradition expense in taking prisoners from Limestone county, Texas, to State Prison .....	60.20
Total Sheriff Claims.....	\$ 4,329.32

Mr. Pope offered the following amendment to the (committee) amendment:

Amend House bill No. 805 by adding between lines 22 and 23, page 7, the following:

To pay Ben D. Lee, sheriff Nueces county, Texas, expenses to Louisiana and return with Ray Faulker, alias Roy Smith; to Kansas City, Mo., and return

with H. D. Johnson; to St. Louis, Mo., and return with L. D. Bayles; to Arkansas and return with Martin Scoggins...\$ 171.15  
The amendment was adopted.

Mr. Tarwater offered the following amendment to the (committee) amendment:

Amend committee amendment No. 3 to House bill No. 805, page 8, by adding between lines 21 and 22 the following:

To pay J. C. Moseley, Tulia, Texas, for extradition expenses for out-of-State trip for fugitive...\$ 101.15

Question recurring on the amendment, it was lost.

Mr. Keller offered the following amendment to the amendment:

Amend (committee) amendment to House bill No. 805 by adding in proper place the following:

Pearl Minus or order, witness fees .....\$ 29.28  
The amendment was lost.

Mr. Adkins offered the following amendment to the (committee) amendment:

Amend committee amendment No. 2 to House bill No. 805, page 7, by adding a new item after line 10:

To pay Richard Isbell, Ore City, Upshur county, Texas, for cattle killed by dipping as required by statute .....\$ 750.00  
The amendment was lost.

Mr. Alsop offered the following amendment to the amendment:

Amend substitute to House bill No. 805 at the proper place by adding the following:

"Pay the following persons and amounts for loss of cattle from dipping as required by Chapter 53, Acts of First Called Session, Forty-first Legislature:

"(a) W. H. Matthews, Carthage, Texas .....\$ 1,790.00  
"(b) Harvey Crawford, Carthage, Texas ..... 95.00  
"(c) G. B. Davis, Carthage, Texas ..... 20.00  
"(d) M. G. Broome, Beckville, Texas ..... 75.00"

The amendment was lost.

On motion of Mr. Boyd, the following amendments were ordered printed in the Journal:

(1)

Amend Committee amendment No. 3 to House bill No. 805 by adding the following:

To pay W. M. Workman, sheriff of Wise county, Texas, for actual expenses out-of-State returning fugitive from the State of Virginia.....\$ 76.30

(2)

Amend House bill No. 805 by inserting at the proper place in the bill the following:

To pay C. M. Workman, Decatur, Texas, for hospital, medicine and doctor bills and for loss of time incidental to injuries received, including a broken jaw, while operating a gravel truck for the Highway Department in Wise county in the month of July, A. D. 1927, which was equipped with a defective mechanical dumper .....\$ 500.00

The committee amendment as amended was then adopted.

Mr. Brooks offered the following (committee) amendment to the bill:

Amend House bill No. 805 by adding to end of Section No. 2, the following list of milk claims of Galveston, Harris and Brazoria counties, to be known as Section No. 2b:

To pay Mrs. E. H. Albright, Arcadia, Texas, for loss of milk due to condemnation of cattle.....\$ 375.00

To pay J. M. Alden, Genoa, Texas, for loss of milk due to condemnation of cattle ..... 45.00

To pay Charles N. Allen, Genoa, Texas, for loss of milk due to condemnation of cattle ..... 67.50

To pay Z. M. Almon, Algoa, Texas, for loss of milk due to condemnation of cattle ..... 93.75

To pay J. L. Anderson, South Houston, Texas, for loss of milk due to condemnation of cattle..... 135.00



To pay Stanley D. Anthony, Genoa, Texas, for loss of milk due to condemnation of cattle .....	112.50	To pay J. E. Dodd, South Houston, Texas, for loss of milk due to condemnation of cattle .....	36.75
To pay W. A. Baty, Arcadia, Texas, for loss of milk due to condemnation of cattle.....	90.00	To pay W. H. Dudley, South Houston, Texas, for loss of milk due to condemnation of cattle.....	36.75
To pay R. W. Bell, South Houston, Texas, for loss of milk due to condemnation of cattle .....	36.75	To pay Dues Bros., Dickinson, Texas, for loss of milk due to condemnation of cattle .....	305.63
To pay W. M. Brussard, South Houston, Texas, for loss of milk due to condemnation of cattle..	36.75	To pay W. C. Dyer, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	52.50
To pay L. B. Bishop, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	45.00	To pay W. F. Dyer, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	150.00
To pay Mrs. U. E. Bond, South Houston, Texas, for loss of milk due to condemnation of cattle.....	90.25	To pay C. H. Evans, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	21.75
To pay Gus Borm, Alvin, Texas, for loss of milk due to condemnation of cattle .....	67.50	To pay S. E. Farquhar, Genoa, Texas, for loss of milk due to condemnation of cattle .....	112.50
To pay H. W. Boehm, Genoa, Texas, for loss of milk due to condemnation of cattle .....	45.00	To pay T. H. Florida, Arcadia, Texas for loss of milk due to condemnation of cattle .....	52.50
To pay B. Cedillo, South Houston, Texas, for loss of milk due to condemnation of cattle.....	40.50	To pay Mrs. Lillian H. Florea, Alcoa, Texas, for loss of milk due to condemnation of cattle .....	219.38
To pay Edgar Chiles, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	337.50	To pay R. G. Ford, South Houston, Texas, for loss of milk due to condemnation of cattle .....	56.25
To pay John J. Campbell, Alcoa, Texas, for loss of milk due to condemnation of cattle .....	37.50	To pay Mrs. J. E. Franks, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	36.75
To pay C. D. Crawford, Genoa, Texas, for loss of milk due to condemnation of cattle .....	36.75	To pay B. L. Franke, Genoa, Texas, for loss of milk due to condemnation of cattle .....	78.75
To pay Mrs. J. Denham, South Houston, Texas, for loss of milk due to condemnation of cattle ....	61.88	To pay T. F. French, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	206.25
To pay W. C. Davis, South Houston, Texas, for loss of milk due to condemnation of cattle .....	40.50	To pay H. C. Gatton, South Houston, Texas, for loss of milk due to condemnation of cattle .....	36.75
To pay A. E. Day, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	28.13	To pay Mrs. L. V. Garrett, Alcoa, Texas, for loss of milk due to condemnation of cattle .....	67.50

To pay G. S. Beaver and J. S. Gibson, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	140.30	To pay Arthur Jones, Genoa, Texas, for loss of milk due to condemnation of cattle .....	36.75
To pay J. J. Ginn, Algoa, Texas, for loss of milk due to condemnation of cattle .....	67.50	To pay Mrs. Stella Jones, Genoa, Texas, for loss of milk due to condemnation of cattle .....	33.75
To pay J. G. Goddard, Algoa, Texas, for loss of milk due to condemnation of cattle .....	75.00	To pay J. S. Jones, Algoa, Texas, for loss of milk due to condemnation of cattle .....	36.75
To pay E. E. Hall, Genoa, Texas, for loss of milk due to condemnation of cattle .....	90.00	To pay Mrs. L. M. Keizer, South Houston, Texas, for loss of milk due to condemnation of cattle..	36.75
To pay W. E. Hall, Algoa, Texas, for loss of milk due to condemnation of cattle .....	37.50	To pay S. W. Kennedy, South Houston, Texas, for loss of milk due to condemnation of cattle..	36.75
To pay Charles Hana, Algoa, Texas, for loss of milk due to condemnation of cattle .....	45.00	To pay H. S. Keeling, Algoa, Texas, for loss of milk due to condemnation of cattle .....	91.50
To pay J. T. Hill, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	168.75	To pay Mrs. T. J. Kimmerling, Hitchcock, Texas, for loss of milk due to condemnation of cattle..	135.00
To pay Mrs. M. T. Hill, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	225.00	To pay G. O. Knight, Alvin, Texas, for loss of milk due to condemnation of cattle .....	337.50
To pay C. Hillerman, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	112.50	To pay F. Kubin, Alvin, Texas, for loss of milk due to condemnation of cattle .....	138.38
To pay W. S. Hodges, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	119.25	To pay Mrs. B. F. Lilley, Algoa, Texas, for loss of milk due to condemnation of cattle.....	78.75
To pay L. O. Hooper, Algoa, Texas, for loss of milk due to condemnation of cattle .....	36.75	To pay J. A. Linkey, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	300.00
To pay Sophia Dibbern, South Houston, Texas, for loss of milk due to condemnation of cattle...	33.75	To pay A. W. Lock, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	289.13
To pay Mrs. Joseph Schlurter, South Houston, Texas, for loss of milk due to condemnation of cattle...	101.25	To pay Mrs. Ida McGowen, Genoa, Texas, for loss of milk due to condemnation of cattle .....	157.50
To pay Arthur Preece, South Houston, Texas, for loss of milk due to condemnation of cattle.....	22.50	To pay J. T. McGee, Algoa, Texas, for loss of milk due to condemnation of cattle .....	168.75
To pay C. E. Johns, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	168.75	To pay C. H. McDawchlin, Genoa, Texas, for loss of milk due to condemnation of cattle .....	22.50

To pay E. P. McGowen, Genoa, Texas, for loss of milk due to condemnation of cattle .....	45.00	To pay G. M. Rymal, Algoa, Texas, for loss of milk due to condemnation of cattle .....	78.75
To pay Mrs. W. M. McPeters, Arcadia, Texas, for loss of milk due to condemnation of cattle..	352.50	To pay Joe Riggio, Alta Loma, Texas, for loss of milk due to condemnation of cattle .....	90.00
To pay Howard McWhorter, South Houston, Texas, for loss of milk due to condemnation of cattle..	36.75	To pay A. E. Schuld, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	215.63
To pay George Milloux, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	67.50	To pay Geo. Schmidt, Alta Loma, Texas, for loss of milk due to condemnation of cattle .....	180.00
To pay Geo. Meadows, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	22.50	To pay Dr. Herbert F. Saunders, Arcadia, Texas, for loss of milk due to condemnation of cattle..	36.75
To pay E. C. Murdock, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	37.50	To pay W. C. Shannon, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	46.98
To pay Mrs. Jessie G. Murray, South Houston, Texas, for loss of milk due to condemnation of cattle .....	28.13	To pay T. J. Shannon, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	243.75
To pay Fred Nelson, Alta Loma, Texas, for loss of milk due to condemnation of cattle .....	78.75	To pay C. L. Smith, Algoa, Texas, for loss of milk due to condemnation of cattle .....	102.50
To pay Mrs. J. W. Neschyba, Arcadia, Texas, for loss of milk due to condemnation of cattle.....	337.50	To pay Mrs. M. M. Straughn, South Houston, Texas, for loss of milk due to condemnation of cattle .....	102.25
To pay G. L. Neuman, Dickerson, Texas, for loss of milk due to condemnation of cattle .....	28.13	To pay C. R. Thomas, Springdale, Ark., R. R. No. 4, for loss of milk due to condemnation of cattle .....	281.25
To pay Mrs. A. D. Orem, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	231.00	To pay J. W. Tambarello, Alta Loma, Texas, for loss of milk due to condemnation of cattle.....	225.00
To pay E. A. Powers, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	281.25	To pay Robt. Thompson, Alta Loma, Texas, for loss of milk due to condemnation of cattle.....	67.50
To pay Mrs. C. Palmo, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	93.75	To pay Albert Trantow, Alvin, Texas, for loss of milk due to condemnation of cattle .....	178.13
To pay F. S. Pourchot, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	33.88	To pay Fred Trantow, Algoa, Texas, for loss of milk due to condemnation of cattle.....	46.88
To pay John Pistone, Alta Loma, Texas, for loss of milk due to condemnation of cattle .....	135.00		

To pay Mrs. J. E. Travis, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	25.13	To pay W. L. Walker, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	562.50
To pay Frank Treska, Alvin, Texas, for loss of milk due to condemnation of cattle .....	142.13	To pay Mrs. Nina R. Wiegand, Dickerson, Tex., for loss of milk due to condemnation of cattle.....	720.00
To pay H. J. Tullis, Genoa, Texas, for loss of milk due to condemnation of cattle .....	67.50	To pay M. D. McLendon, Genoa, Texas, for loss of milk due to condemnation of cattle .....	1,500.00
To pay J. B. Tullis, Genoa, Texas, for loss of milk due to condemnation of cattle .....	102.50	To pay Mrs. H. W. Baty, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	596.00
To pay A. Tully, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	37.50	To pay J. M. Tacquard, Alvin, Texas, for loss of milk due to condemnation of cattle .....	1,500.00
To pay C. E. Vawter, Genoa, Texas, for loss of milk due to condemnation of cattle .....	90.00	To pay G. H. Remmers, Algoa, Texas, for loss of milk due to condemnation of cattle .....	495.42
To pay C. H. Van Natter, South Houston, Texas, for loss of milk due to condemnation of cattle..	67.50	To pay B. F. Schulze, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	750.00
To pay R. E. Ward, Alvin, Texas, for loss of milk due to condemnation of cattle .....	103.13	To pay W. H. Brockman, Admr. Bird Est., Alta Loma, Texas, for loss of milk due to condemnation of cattle .....	562.50
To pay Jennie Gray Ward, Alvin, Texas, for loss of milk due to condemnation of cattle .....	33.75	To pay Guy Moore, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	525.00
To pay R. M. West, Freeport, Texas, for loss of milk due to condemnation of cattle .....	337.50	To pay J. E. Gilbert, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	450.00
To pay W. O. Weiting, Alvin, Texas, for loss of milk due to condemnation of cattle .....	38.81	To pay Lee Chiles, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	513.75
To pay H. T. Wingren, Genoa, Texas, for loss of milk due to condemnation of cattle .....	67.50	To pay J. C. Meek, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	393.68
To pay G. H. Youngblood, Alta Loma, Tex., for loss of milk due to condemnation of cattle .....	272.25	To pay Edwin Shock, Alvin, Texas, for loss of milk due to condemnation of cattle .....	806.25
To pay B. F. Williams, Pasadena, Texas, for loss of horse due to condemnation .....	25.00	To pay G. C. Schmidt, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	533.63
To pay Mrs. A. L. Pomeroy, Pasadena, Texas, for loss of horse due to condemnation .....	25.00	To pay B. H. Leining, Dickerson, Texas, for loss of milk due to condemnation of cattle .....	590.63

To pay Leary Bros., Arcadia, Texas, for loss of milk due to condemnation of cattle .....	706.13	To pay A. A. Lock, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	450.00
To pay Alex Birrell, La Porte, Texas, for loss of milk due to condemnation of cattle .....	393.75	To pay Poul Florea, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	956.25
To pay M. Shop, Genoa, Texas, for loss of milk due to condemnation of cattle .....	405.00	To pay V. A. Palmero, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	150.00
To pay F. Molk, Houston, Texas, for loss of milk due to condemnation of cattle .....	1,012.50	To pay Mrs. L. Myles, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	258.75
To pay J. A. Moore, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	787.50	To pay Wm. Shoenfeldt, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	168.75
To pay Wm. Holloway, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	393.75	To pay Olaf Larsen, Alta Loma, Texas, for loss of milk due to condemnation of cattle .....	45.00
To pay H. E. Stockwell, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	675.00	To pay Mrs. F. W. Jackson, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	271.88
To pay Mrs. Mary D. McClain, Harrisburg, Texas, for loss of milk due to condemnation of cattle..	543.75	To pay C. E. Holbert, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	187.50
To pay J. A. Palmer, Algoa, Texas, for loss of milk due to condemnation of cattle .....	661.25	To pay A. W. Harris, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	281.25
To pay J. A. Asberg, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	393.75	To pay H. Gigstad, Pasadena, Texas, for loss of milk due to condemnation of cattle .....	102.50
To pay T. C. Scruggs, Algoa, Texas, for loss of milk due to condemnation of cattle .....	393.75	To pay Mrs. Fred Grothgar, Alta Loma, Texas, for loss of milk due to condemnation of cattle.....	168.75
To pay W. D. Burns, Alta Loma, Texas, for loss of milk due to condemnation of cattle .....	472.50	To pay James Edwards, Algoa, Texas, for loss of milk due to condemnation of cattle .....	337.50
To pay John Clutter, Algoa, Texas, for loss of milk due to condemnation of cattle .....	487.50	To pay Mrs. M. E. Dent, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	75.00
To pay J. H. Cox, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	436.50	To pay E. M. Cole, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	67.50
To pay J. W. Leary, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	426.00	To pay J. B. Cox, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	315.00

To pay Mrs. John Baty, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	201.75	To pay Evans Franks, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	135.00
To pay W. S. Blakesly, Pasadena, Texas, for loss of milk due to condemnation of cattle .....	337.50	To pay O. B. Glazener, South Houston, Texas, for loss of milk due to condemnation of cattle.....	67.50
To pay Jacob Brittnacher, League City, Texas, for loss of milk due to condemnation of cattle.....	236.25	To pay Henry Mackay, Algoa, Texas, for loss of milk due to condemnation of cattle .....	67.50
To pay Joe Brittnacher, League City, Texas, for loss of milk due to condemnation of cattle.....	102.50	To pay J. A. Sandstrom, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	531.56
To pay F. A. Bauseus, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	135.00	To pay Mrs. C. F. Beusch, Pasadena, Texas, for loss of milk due to condemnation of cattle .....	205.92
To pay John Brittnacher, League City, Texas, for loss of milk due to condemnation of cattle.....	169.13	To pay Mrs. Mary Edming, Pasadena, Texas, for loss of milk due to condemnation of cattle .....	121.50
To pay A. Auk, Algoa, Texas, for loss of milk due to condemnation of cattle .....	102.50	To pay J. E. Endicott, Pasadena, Texas, for loss of milk due to condemnation of cattle .....	216.90
To pay W. S. Parks, Pasadena, Texas, for loss of milk due to condemnation of cattle .....	202.50	To pay Oscar Kruze, Pasadena, Texas, for loss of milk due to condemnation of cattle .....	570.94
To pay R. E. Pollinard, Arcadia, Texas .....		To pay S. Garnuch, Pasadena, Texas, for loss of milk due to condemnation of cattle .....	393.12
To pay Axel Peterson, South Houston, Texas, for loss of milk due to condemnation of cattle.....	84.38	To pay Charles E. Syfan, Pasadena, Texas, for loss of milk due to condemnation of cattle .....	1,231.80
To pay John Railano, Alta Loma, Texas, for loss of milk due to condemnation of cattle .....	281.25	Total milk claims.....	\$ 40,186.42
To pay John Rezek, Algoa, Texas, for loss of milk due to condemnation of cattle .....	56.50	Grand total .....	\$119,488.16
To pay R. T. Sanner, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	73.13	<p>Mr. Kennedy offered the following amendment to the amendment:</p> <p>Amend committee amendment No. 4 to House bill No. 805 by adding thereto the following: "Provided, that the sum allowed each claimant herein shall be accepted in full, final and complete settlement and satisfaction of the claim held by the claimant against the State of Texas for loss of milk due to condemnation of cattle."</p> <p>The amendment was adopted.</p> <p>Mr. Moffett moved the previous question on the pending amendment, and the main question was ordered.</p>	
To pay Mrs. M. E. Stavely, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	112.50		
To pay G. A. Grimes, Arcadia, Texas, for loss of milk due to condemnation of cattle .....	56.25		

Question recurring on the (committee) amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

## Yeas—79.

Adams of Jasper.	Holloway.
Adamson.	Hoskins.
Albritton.	Hughes.
Baker.	Jackson.
Barron.	Johnson
Beck.	of Dimmit.
Bedford.	Johnson of Morris.
Boyd.	Jones of Shelby.
Bryant.	Jones of Atascosa.
Burns of Walker.	Kayton.
Burns	Keller.
of McCulloch.	Kennedy.
Carpenter.	Laird.
Caven.	Leonard.
Coltrin.	Lilley.
Cunningham.	McDougald.
Dale.	McGill.
Daniel.	Metcalf.
Davis.	Moffett.
DeWolfe.	Moore.
Dodd.	Morse.
Donnell.	Munson.
Dowell.	Patterson.
Dunlap.	Pope.
Duvall.	Ratliff.
Elliott.	Ray.
Engelhard.	Reader.
Farmer.	Richardson.
Ferguson.	Scott.
Fisher.	Smith of Bastrop.
Forbes.	Sparkman.
Ford.	Steward.
Giles.	Strong.
Goodman.	Sullivant.
Harrison	Tarwater.
of El Paso.	Turner.
Harrison	Van Zandt.
of Waller.	Veatch.
Hatchitt.	Wagstaff.
Herzik.	Weinert.
Hill.	West of Coryell.
Holder.	Wyatt.
Holland.	Young.

## Nays—23.

Akin.	Hines.
Alsup.	Lasseter.
Bond.	Lockhart.
Bounds.	McCombs.
Brice.	Magee.
Coombes.	Ramsey.
Cox of Limestone.	Savage.
Farrar.	Sherrill.
Finn.	Stephens.
Gilbert.	Towery.
Greathouse.	Walker.
Hanson.	

## Absent.

Adkins.	Nicholson.
Brooks.	Olsen.
Graves.	O'Quinn.
Hardy.	Petsch.
Harman.	Rountree.
Hefley.	Sanders.
Howsley.	Satterwhite.
Hubbard.	Shelton.
Johnson	Smith of Wood.
of Dallam.	Stevenson.
Lemens.	Terrell
Long.	of Val Verde.
McGregor.	Warwick.
Martin.	Wiggs.
Murphy.	

## Absent—Excused.

Adams of Harris.	Lee.
Anderson.	Mathis.
Bradley.	Mehl.
Claunch.	Rogers.
Cox of Lamar.	Terrell
Dwyer.	of Cherokee.
Fuchs.	Vaughan.
Grogan.	West of Cameron.
Justiss.	Westbrook.

Mr. McDougald moved to reconsider the vote by which the amendment was adopted and to table the motion to reconsider.

The motion to table prevailed.

Mr. Brooks offered the following (committee) amendments to the bill:

## (1)

Amend House bill No. 805 by striking out the figures "\$200" at end of line 39, Section 1, on page 1, and insert in lieu thereof the figures "\$11.22."

## (2)

Amend House bill No. 805 by striking out the figures "\$69.69" at the end of line 25, Section 1, on page 1, and insert in lieu thereof the figures "\$69.59."

The amendments were severally adopted.

Mr. Brooks offered the following (committee) amendment to the bill:

Amend House bill No. 805 by adding the following list of approved claims after line 15, on page 1, under Section 1:

To pay R. B. Wilkes, Caldwell, Texas, for overpayment of State taxes.....\$ 135.50

To pay E. N. Kirby, Abilene, Texas, for non-payment of Comptroller's deficiency warrant .....	210.50	Mr. Smith of Bastrop offered the following amendment to the amendment: Amend committee amendment No. 7 to House bill No. 805, by changing the word "Caldwell" in the first item to "Bastrop." The amendment was adopted.
To pay the Prudential Insurance Co., New York, N. Y., for overpayment of State taxes .....	40.21	Mr. Pope offered the following amendment to the amendment: Amend committee amendment No. 7 to House bill No. 805 by adding at the end of said amendment No. 7 the following:
To pay Claude M. McCallum, Dallas, Texas, for non-payment of salary voucher .....	47.31	"To pay Aransas Compress Co., Corpus Christi, Texas, refund of franchise tax .....\$ 54.00"
To pay Belle Welborn, Abilene, Texas, for non-payment of Comptroller's deficiency warrants Nos. 1421 and 1808—\$767.35, \$101.50, respectively.....	868.85	The amendment was adopted.
To pay Fulwiler Motor Co., Abilene, Texas, for non-payment of Comptroller's deficiency warrant .....	223.50	Mr. Ratliff offered the following amendment to the amendment: Amend committee amendment No. 7 to House bill No. 805 by adding to end of same the following miscellaneous claims:
To pay Acme Brick Co., Ft. Worth, Texas, for refund of excess franchise tax..	2,373.75	"To pay Kate Beaty, district clerk, Throckmorton, Texas, for Comptroller's deficiency certificate No. 2312, for services, fees in felony cases .....\$ 18.00"
To pay Fort Worth Freight Bureau, Fort Worth, Texas, for refund of excess franchise tax .....	205.33	"To pay American National Bank, Austin, Texas, for Comptroller's deficiency certificate No. 1742, for services rendered by Kate Beaty, clerk of district court of Throckmorton county, Texas, fees in felony cases .....\$ 25.00"
To pay Beaumont Export & Import Co., Beaumont, Texas, for refund of excess franchise tax.....	92.00	"Change totals to correspond."
To pay American Printing Co., Temple, Texas, for typewriter purchased by State Mining Department .....	83.03	The amendment was adopted.
To pay E. F. Riedel, city purchasing agent, San Angelo, Texas, for gasoline for Federal government airplanes .....	34.82	The amendment as amended was then adopted.
To pay Fort Worth Textile Mills, Fort Worth, Texas, for refund of filing fee and franchise tax.....	2,743.00	Mr. Kayton offered the following amendment to the bill: Amend House bill No. 805, page 17, by creating a rider to the general claims bill, to read as follows:
To pay American Tank & Equip. Corp., Bartlesville, Okla., for refund of excess franchise tax.....	52.50	"1. All refunds of occupation taxes shall be paid as follows: three-fourths out of the general revenue of the State, one-fourth out of the public school funds.
To pay B. C. Jones, Clarksville, Texas, for non-payment of deficiency warrant No. 2356.....	1,050.00	"2. All claims against the Texas Prison System shall be paid by said system.
To pay J. W. Rumbelow, Kountze, Texas, for refund of filing fee .....	25.00	
To pay E. F. Vander Stucken, Sonora, Texas, for refund of overpayment of inheritance tax..	2,113.42	



"3. All claims against the State Highway Department shall be paid out of the general highway fund.

"4. All claims arising through acquisition of land for the University of Texas shall be paid out of the University available fund.

"5. All claims for refund of gasoline taxes shall be paid one-fourth from the general public free school fund and three-fourths from the general highway fund."

The amendment was adopted.

Mr. Young offered the following amendment to the bill:

Amend House bill No. 805, page 1, by adding between lines 19 and 20 on said page the following:

"To pay Miss Maude Rich-  
ow for medical services  
and other expenses in-  
curred by reason of in-  
juries sustained when a  
State Highway truck col-  
lided with her automobile  
in which she, her sister  
and her mother were rid-  
ing, said amount to be  
paid out of the highway  
fund of the State of  
Texas .....\$ 194.15"

The amendment was adopted.

Mr. Pope offered the following amendment to the bill:

Amend House bill No. 805 by adding between lines 34 and 35, page 2, the following:

"To pay First State Bank of Cor-  
pus Christi, Texas, 'in-county wit-  
ness fees,' the following:

"State of Texas vs. Alejan-  
dro Rodriguez, selling intox-  
icating liquor in local option  
territory:

Olan Cox .....\$ 10.50

"State of Texas vs. John Mo-  
rales, selling intoxicating  
liquor in local option terri-  
tory,

F. E. McBride .....\$ 9.00

"State of Texas vs. Charles  
Siebert, murder,

Joe Salazar .....\$ 9.00

Tom Torkelson ..... 10.50

Philip Singer ..... 6.00

"State of Texas vs. A. Fon-  
seca, selling intoxicating  
liquor in local option terri-  
tory,

H. V. Hardesty ..... 10.50

Don C. Bryden ..... 10.50

"State of Texas vs. Rosendo  
Montoya, for murder,

Cheno de los Santos ..... 3.00

Angel Gutierrez ..... 3.00

Cecilia Ybarro ..... 3.00

E. G. Castleberry ..... 3.00

Antonio Hernandez ..... 3.00

"State of Texas vs. Nathan  
White, for murder,

William Walker ..... 13.50

Art McKenzie ..... 13.50

William Powers ..... 22.50

E. M. Steen ..... 40.50

Willie Smith ..... 16.50

Viola Walker ..... 7.50

Walter Weekly ..... 4.50

"State of Texas vs. Rafael  
Blanco, unlawfully selling  
intoxicating liquor in local  
option territory,

A. L. Lindsey ..... 10.50

R. A. Kelly ..... 10.50

Tom Galloway ..... 10.50

E. Hope ..... 10.50

Ernest Wynn ..... 10.50

"Total witness fees due the  
First State Bank of Cor-  
pus Christi, Texas.....\$252.00"

Mr. Burns of McCulloch moved to  
table the amendment.

The motion to table was lost.

Question recurring on the amend-  
ment, it was lost.

Mr. Davis offered the following  
amendment to the bill:

Amend House bill No. 805 by add-  
ing at the end of the committee  
amendment No. 7 the following:

"To pay Alvin P. Muller,  
receiver for D. D. Baker  
et al., for overpayment to  
Comptroller of gross pro-  
duction on oil .....\$ 218.80"

WEINERT,  
DAVIS.

The amendment was lost.

Mr. Pope moved to reconsider the  
vote by which the amendment offered  
by himself to pay certain witness fees  
was lost.

Mr. Kayton moved the previous  
question on the pending motion and  
the bill, and the main question was  
ordered.

Question recurring on the motion  
by Mr. Pope, it was lost.

House bill No. 805 was then passed  
to engrossment.

## HOUSE BILL NO. 805 ON THIRD READING.

Mr. Brooks moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 805 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—98.

Mr. Speaker.	Hoskins.
Adams of Jasper.	Howsley.
Adamson.	Hubbard.
Adkins.	Hughes.
Albritton.	Jackson.
Baker.	Johnson of Dallam.
Barron.	Johnson
Beck.	of Dimmit.
Bedford.	Johnson of Morris.
Bounds.	Jones of Shelby.
Boyd.	Jones of Atascosa.
Brooks.	Kayton.
Bryant.	Kennedy.
Burns of Walker.	Laird.
Burns	Lemens.
of McCulloch.	Leonard.
Carpenter.	Lilley.
Caven.	McCombs.
Coltrin.	McDougald.
Cox of Limestone.	McGill.
Daniel.	Magee.
Davis.	Metcalfe.
DeWolfe.	Moffett.
Dodd.	Moore.
Donnell.	Morse.
Dowell.	Murphy.
Duvall.	O'Quinn.
Elliott.	Ratliff.
Engelhard.	Rountree.
Farmer.	Sanders.
Farrar.	Satterwhite.
Ferguson.	Savage.
Finn.	Sherrill.
Fisher.	Smith of Bastrop.
Forbes.	Smith of Wood.
Ford.	Stevenson.
Gilbert.	Steward.
Giles.	Strong.
Goodman.	Sullivant.
Graves.	Tarwater.
Hanson.	Turner.
Hardy.	Van Zandt.
Harrison	Veatch.
of El Paso.	Wagstaff.
Harrison	Walker.
of Waller.	Warwick.
Hatchitt.	West of Coryell.
Herzik.	Wiggs.
Hill.	Wyatt.
Holder.	Young.
Holland.	

Nays—5.

A'sup.	Long.
Akin.	Keller.
Bond.	Pope.

## Absent.

Brice.	Olsen.
Coombes.	Patterson.
Dale.	Petsch.
Dunlap.	Ramsey.
Greathouse.	Ray.
Harman.	Reader.
Hefley.	Richardson.
Hines.	Scott.
Holloway.	Shelton.
Lasseter.	Sparkman.
Lockhart.	Stephens.
McGregor.	Terrell
Martin.	of Val Verde.
Munson.	Towery.
Nicholson.	Weinert.

## Absent—Excused.

Adams of Harris.	Lee.
Anderson.	Mathis.
Bradley.	Mehl.
Claunch.	Rogers.
Cox of Lamar.	Terrell
Cunningham.	of Cherokee.
Dwyer.	Vaughan.
Fuchs.	West of Cameron.
Grogan.	Westbrook.
Justiss.	

The Speaker then laid House bill No. 805 before the House on its third reading and final passage.

The bill was read third time.

Mr. Pope offered the following amendment to the bill:

"To pay First State Bank of Corpus Christi, Texas, 'in-county witness fees,' the following:

"State of Texas vs. Alejandro Rodriguez, selling intoxicating liquor in local option territory:

Olan Cox .....\$ 10.50

"State of Texas vs. John Morales, selling intoxicating liquor in local option territory,

F. E. McBride .....\$ 9.00

"State of Texas vs. Charles Siebert, murder,

Joe Salazar .....\$ 9.00

Tom Torkelson ..... 10.50

Philip Singer ..... 6.00

"State of Texas vs. A. Fonseca, selling intoxicating liquor in local option territory,

H. V. Hardesty ..... 10.50

Don C. Bryden ..... 10.50

"State of Texas vs. Rosendo Montoya, for murder,	
Cheno de los Santos.....	3.00
Angel Gutierrez .....	3.00
Cecilia Ybarro .....	3.00
E. G. Castleberry .....	3.00
Antonio Hernandez .....	3.00
"State of Texas vs. Nathan White, for murder,	
William Walker .....	13.50
Art McKenzie .....	13.50
William Powers .....	22.50
E. M. Steen .....	40.50
Willie Smith .....	16.50
Viola Walker .....	7.50
Walter Weekly .....	4.50
"State of Texas vs. Rafael Blanco, unlawfully selling intoxicating liquor in local option territory,	
A. L. Lindsey .....	10.50
R. A. Kelly .....	10.50
Tom Galloway .....	10.50
E. Hope .....	10.50
Ernest Wynn .....	10.50

"Total witness fees due the First State Bank of Corpus Christi, Texas.....\$252.00"

Mr. Kayton, moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Pope, it was lost.

House bill No. 805 was then passed.

#### COMMUNICATION FROM MRS. GEO. B. TERRELL.

The Speaker laid before the House and had read the following communication:

Austin, Texas, May 16, 1931.

To the Members of the Legislature:

We wish to thank you for the beautiful flowers sent Mr. Terrell.

MRS. GEO. B. TERRELL  
And Family.

#### MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, May 16, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 964, A bill to be entitled "An Act releasing the inhabitants of

and property in Orange county from the payment of nine-tenths (9/10) of the ad valorem taxes levied for State purposes for a period of twenty-five (25) years; providing generally the means and manner thereof; providing for the establishment of a conservation and reclamation district in said county, and the means, manner and time thereof, and for the issuance of bonds by said district, and for the collection of said taxes and creation of a sinking fund out of which said bonds and interest shall be paid, in the same manner as bonds are now authorized to be issued and paid; providing the purposes of said district; prescribing certain limitations and conditions; providing generally for the carrying out of the purposes hereof, and declaring an emergency."

H. J. R. No. 21, Proposing to amend Section 14, of Article 8, of the Constitution and to abrogate Section 16 of said Article 8 so that each county shall elect only one person as the assessor and collector of taxes.

H. B. No. 120, A bill to be entitled "An Act to amend Articles 2237, 2238 and 2239 of the 1925 Revised Civil Statutes of Texas, by providing that where the ruling of the court upon the admission or exclusion of evidence is shown by the transcript or statement of facts, and where the objections and exceptions are likewise shown, no formal bill of exception shall be necessary, etc., and declaring an emergency."

H. B. No. 440, A bill to be entitled "An Act to amend Article 7272, of Chapter 8, Title 122, of the Revised Civil Statutes of 1925, relating to liability of property for taxes so as to provide that a person may pay on a part of the property assessed without being required to pay on all of the property assessed; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 504, A bill to be entitled "An Act to amend Article 3943 of the 1925 Revised Civil Statutes of the State of Texas, which article relates to the fees of office of county treasurers, providing for more adequate compensation for such treasurers in certain counties; providing for assistants for such treasurers; fixing a maximum of compensation for such assistants, and declaring an emergency."

H. B. No. 1022, A bill to be entitled "An Act amending Article 879 of

the Penal Code of Texas, 1925, as amended by Chapter 215, Acts Fortieth Legislature, by amending Article 879a created by said Chapter 215, so as to fix an open season for hunting, taking or killing wild ducks, wild geese, wild brant, wild snipe, wild gallinules, wild coot or mudhen, conforming to Federal laws, and declaring an emergency."

H. B. No. 1025, A bill to be entitled "An Act authorizing and directing the Commissioner of the General Land Office to convey, by proper instrument, all the right, title and interest of the State of Texas in and to four certain described tracts of land situated in Kerr county, Texas, to designated persons, said tracts having heretofore been donated to the State for park purposes, but no improvement made thereon, and reciting a failure of consideration, and declaring an emergency."

H. B. No. 1028, A bill to be entitled "An Act authorizing the commissioners courts of counties having not less than 3690 and not more than 4000 inhabitants, according to the last available Federal census, to appropriate and expend a sum not exceeding \$7500 to be used over a period of five years for exterminating predatory animals, and declaring an emergency."

H. B. No. 1048, A bill to be entitled "An Act authorizing the appointment of an investigator in Tom Green county, Texas, by the district attorney of the Fifty-first Judicial District; fixing the compensation of such investigator and the amount of expense allowed him, and providing a method for the payment thereof; repealing House bill No. 43 of the Acts of the Regular Session of the Forty-second Legislature, and declaring an emergency."

The Senate has indefinitely postponed

S. B. No. 285, A bill to be entitled "An Act to amend Article 2687, Revised Statutes, 1925, relating to the compensation to be paid members of the county board of trustees; repealing all laws in conflict herewith, and declaring an emergency."

The Senate has refused to concur in House amendments to Senate bill No. 31 and requests the appointment of a conference committee. The following have been appointed on the part of the Senate: Messrs. Williamson, Hopkins, Rawlings, Patton and Parrish.

The Senate has concurred in House amendments to Senate concurrent resolution No. 1 by a viva voce vote.

The Senate has adopted House concurrent resolution No. 64, authorizing the Enrolling Clerk of the House to amend the caption of House bill No. 905 to conform to the body of the bill.

Respectfully,  
BOB BARKER,  
Secretary of the Senate.

#### HOUSE BILL NO. 550, WITH SENATE AMENDMENTS.

Mr. Graves called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 550, A bill to be entitled "An Act amending Articles 1034 and 1035 of the Code of Criminal Procedure of 1925, so as to hereafter make the approval of officers' felony accounts to be made by the district judge, subject to and conditioned with the approval of the State Comptroller; providing for the recording of such approval in the minutes of the district court; providing that the district clerk shall make a certified copy from the minutes of said court of said bill and the action of the judge thereon, and the sending of the same by registered mail to the Comptroller, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Graves, the House concurred in the Senate amendments.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, May 16, 1931.  
Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 206, A bill to be entitled "An Act amending the Revised Civil Statutes of 1925, and providing a period of limitation; defining who are trespassers, and creating presumptions, etc., and declaring an emergency."

S. B. No. 220, A bill to be entitled "An Act creating the office of criminal district attorney in those counties which constitute at least one and not more than two separate judicial

districts within themselves in which there is not now a district attorney; providing that the present county attorney in those counties, who performs the duties of county and district attorney, shall qualify as criminal district attorney, remain in office and take the oath and give the bond required of district attorneys by the Constitution and laws of Texas, etc., and declaring an emergency."

S. B. No. 445, A bill to be entitled "An Act to amend Article 440 of the Code of Criminal Procedure, Revision of 1925, and declaring an emergency."

S. B. No. 622, A bill to be entitled "An Act authorizing any corporation heretofore organized and incorporated under Article 1495 and Article 1496 of the Revised Civil Statutes of 1925, or any prior law, or any corporation that may hereafter be organized under said articles, and owning or operating oil pipe line or lines in this State, to lease or attach to their line or lines other pipe line or lines, by lease or purchase, and to join with any other corporation authorized to own and/or operate an oil pipe line or lines, person or association in constructing, leasing, owning, using, operating or maintaining pipe line or lines, upon such terms as may be agreed upon between the directors or managers of the respective corporations, and to own and hold any interest in such line or lines, or to become lessees or lessors thereof, on such terms as the respective corporations, persons or associations may agree to; and providing that nothing herein shall be construed as authorizing any such corporation or person to violate any provision of the Anti-Trust Laws of this State, and declaring an emergency."

S. B. No. 467, A bill to be entitled "An Act to amend Article 7332, Chapter 10, Title 122, of the Revised Civil Statutes of Texas, relating to fees in delinquent tax suits, as amended by the Acts of the Forty-first Legislature passed at its Regular Session, amended by the Acts of the Forty-first Legislature and found in the published laws of said session, Chapter 143, pages 307-308, and as amended by the Acts of the Fourth Called Session of the Forty-first Legislature, as the same appears in the published laws of said session, Chapter 20, page 37; to repeal all laws in

conflict herewith, and declaring an emergency."

S. B. No. 605, A bill to be entitled "An Act authorizing the State Comptroller of Public Accounts and the State Treasurer to cancel off their books outstanding and unpaid warrants issued prior to September 1, 1927, and directing the method of payment of same, and declaring an emergency."

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### BILLS AND RESOLUTION SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolution:

S. C. R. No. 51, Relative to Senate bill No. 72.

S. B. No. 35, "An Act making an appropriation to remove the remains of certain heroes and providing for monuments for such heroes, and declaring an emergency."

S. B. No. 136, "An Act amending Subdivision 2 of Article 199, Title 8, Revised Civil Statutes of Texas of 1925, and providing for changing and prescribing terms and times of holding the courts in the Second Judicial District of Texas; validating and continuing all processes and writs, bonds and recognizances and making them returnable to the terms of court in the several counties in said district as herein fixed; to validate the summoning of grand and petit jurors under the present law so as to render them available under the present act; to repeal all laws and parts of laws in conflict herewith; providing for and declaring an emergency, and providing time for this act to take effect."

H. B. No. 480, "An Act defining the north white wing zone and the south white wing zone and amending Article 879a of Chapter 74, of the General and Special Laws of the Regular Session of the Forty-first Legislature, and Article 879b of Chapter 215, of the General and Special Laws of the Regular Session of the Fortieth Legislature, which articles relate to the open season on white wing doves and quail, and declaring an emergency."

H. B. No. 964, "An Act releasing the inhabitants of and property in Orange county from the payment of

taxes levied for State purposes for a period of twenty-five (25) years, etc., and declaring an emergency."

S. B. No. 72, "An Act amending Section 79 of Article 199, Title 8, Revised Civil Statutes of 1925."

S. B. No. 582, "An Act authorizing the State Treasurer to employ four extra clerks instead of three as authorized by House bill No. 398, passed at the Regular Session of the Forty-second Legislature, and declaring an emergency."

H. B. No. 818, "An Act authorizing the commissioners courts of all counties adjacent to the Gulf of Mexico to issue time warrants bearing interest not exceeding eight per cent per annum to be used in the payment either by outright purchase, or after condemnation proceedings, of lands for right of way purposes for an intracoastal canal, and declaring an emergency."

H. B. No. 335, "An Act to amend Chapter 314, General Laws of the State of Texas, Forty-first Legislature, Regular Session, as amended at the Second Called Session thereof, so as to further regulate motor carriers transporting property over the public highways, etc., and declaring an emergency."

H. B. No. 336, "An Act to amend Chapter 42, General Laws of the State of Texas, Forty-first Legislature, Second Called Session, so as to further regulate the operation of vehicles on the public highways, etc., and declaring an emergency."

#### BILLS ORDERED NOT PRINTED.

On motion of Mr. Johnson of Dimmit, House bills Nos. 1058 and 1059 were ordered not printed.

On motion of Mr. Wyatt, Senate bill No. 627 was ordered not printed.

#### NOTICES GIVEN.

Mr. Johnson of Dimmit gave notice that he would, on next Monday, move to take up for consideration at that time, House bill No. 891, which bill had heretofore been laid on the table subject to call.

Mr. Pope gave notice that he would, on next Monday, move to take up for consideration at that time, House bill No. 91, which bill had heretofore been laid on the table subject to call.

Mr. Adams of Jasper gave notice that he would, on next Monday, move to take up for consideration at that time, House bill No. 414, which bill had heretofore been laid on the table subject to call.

#### CONFERENCE COMMITTEE ON SENATE BILL NO. 31.

The Speaker announced the appointment of the following conference committee on Senate bill No. 31: Messrs. Johnson of Dimmit, Holland, Graves, Adamson and DeWolfe.

#### HOUSE BILL ON FIRST READING.

The following House bill, introduced today (by unanimous consent), was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Adams of Jasper and Mr. McDougald:

H. B. No. 1060, A bill to be entitled "An Act making it lawful to hunt wild deer with one dog in the counties of Jasper, Newton and Orange, Texas, during the open season for each year for a period of five years, and declaring an emergency."

Referred to Committee on Game and Fisheries.

#### SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 206, to the Committee on Judiciary.

Senate bill No. 220, to the Committee on Judicial Districts.

Senate bill No. 445, to the Committee on Criminal Jurisprudence.

Senate bill No. 467, to the Committee on Judiciary.

Senate bill No. 605, to the Committee on State Affairs.

Senate bill No. 622, to the Committee on Municipal and Private Corporations.

#### HOUSE BILL NO. 61 ON SECOND READING.

On motion of Mr. Wagstaff, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 61, A bill to be entitled "An Act validating the surveys of all lands heretofore or hereafter made and returned to the General Land Office, vesting the title to lands included within the lines of said surveys, as returned to the General Land Office, in the parties for which same were made, their heirs, successors and assigns creating rules of evidence to protect the title to such surveys, etc., and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

#### Reason for Vote:

The following Statement was ordered printed in the Journal:

House of Representatives,  
Austin, Texas, May 15, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Dear Sir: I hereby request permission to print in the Journal the following explanation of my vote on the adoption of the free conference committee report on House bill No. 335:

I voted "nay" on this bill for the following reasons:

Subsection (g) of Section 1 in the bill provides that "the term 'motor carrier' means that any person, firm, owning, controlling . . . any motor-propelled vehicle used in transporting property for compensation or hire over any public highway in this State, where in the course of such transportation a highway between two or more incorporated cities, towns or villages is traversed; provided, the term 'motor carriers' as used in this act shall not apply to motor vehicles operated exclusively within the incorporated limits of cities or towns."

Under the caption, this statement appears:

"Providing that no motor carrier shall hereafter operate as a common carrier without having a certificate of convenience and necessity, and that no motor carrier shall hereafter operate as a contract carrier without having a permit; giving to the Railroad Commission of the State of Texas power and imposing upon it the duty to fix, prescribe or approve maximum or minimum rates, fares

and charges for motor carriers doing business as common carriers . . . charges for motor carriers operating as contract carriers."

Reverting to Section (g), a motor carrier is any person operating a motor vehicle "where in the course of such transportation a highway between two or more incorporated cities, towns or villages is traversed."

From this it is clear that any person who ever makes any charge for hauling any property "on a highway between two or more incorporated cities" is a motor carrier. Under the caption, he may not operate without a certificate of convenience and necessity. Under this provision any farmer who moves live stock, grain or farm products which pass the first city "on a highway between two or more cities" becomes a motor carrier, and under the caption must have license by the Commission.

Thus, if any farm product has to go to market, no farmer could move any such product past the first town unless he could find to transport it a licensed motor carrier. Thus, grain going to an elevator could not be hauled past the first town in case the elevator in that town were full and unable to receive grain.

Cotton to compress could not go past the first town in order to reach a compress. Thus, the farmer is unduly discriminated against and restricted in such a way that he could not freely move crops even to suitable railroad transportation or factories or process plants.

But the last four lines in subsection (g), Section 1, relieves carriers within cities of any regulation in these words: "And this act shall not apply to motor vehicles operating exclusively within the incorporated limits of cities or towns."

Because in this and other features the bill is discriminatory against the movement of farm products and unfairly restrictive, I am compelled to vote "nay."

Yours very truly,  
ENGELHARD.

#### ADJOURNMENT.

On motion of Mr. Metcalfe, the House, at 1 o'clock p. m., adjourned until 9 o'clock a. m. next Monday.

## APPENDIX.

REPORTS OF THE COMMITTEE  
ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, May 16, 1931.

Hon. Fred H. Minor, Speaker of the  
House of Representatives.Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 10, A bill to be entitled  
"An Act amending Article 3891, as  
amended by House bill No. 9, Chap-  
ter 20, of the Fourth Called Session  
of the Forty-first Legislature; repeal-  
ing all provisions of law in conflict  
with this act, etc., and declaring an  
emergency,"

Have carefully compared same and  
find it correctly engrossed.

RICHARDSON, Vice-Chairman.

REPORTS OF THE COMMITTEE  
ON ENROLLED BILLS.

Committee Room,

Austin, Texas, May 16, 1931.

Hon. Fred H. Minor, Speaker of the  
House of Representatives.Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. B. No. 335, "An Act to amend  
Chapter 314, General Laws of the  
State of Texas, Forty-first Legisla-  
ture, Regular Session, as amended by  
Chapter 24 of the General Laws of the  
Second Called Session thereof, so as  
to further regulate motor carriers  
transporting property for hire over  
the public highways; defining the  
terms 'person,' 'Commission,' 'High-  
way Commission,' 'public highway,'  
'certificate,' 'permit,' 'motor car-  
rier,' and 'contract carrier;' placing  
all motor carriers under the juris-  
diction of the Railroad Commission  
of Texas; providing that no motor  
carrier shall hereafter operate as a  
common carrier without having a cer-  
tificate of convenience and necessity  
and that no motor carrier shall here-  
after operate as a contract carrier  
without having a permit; giving to  
the Railroad Commission of the State  
of Texas power and imposing upon it  
the duty to fix, prescribe or approve  
maximum or minimum or maximum  
and minimum rates, fares and charges  
for motor carriers doing business as  
common carriers and minimum rates,  
fares and charges for motor carriers  
operating as contract carriers, to re-  
quire all motor carriers to keep cer-

tain accounts and to file such reports  
as the Commission may deem neces-  
sary, to require each operator of a  
motor-propelled vehicle operated by a  
motor carrier to have a driver's li-  
cense and prescribing fees therefor  
and to regulate motor carriers in all  
other matters affecting their relation-  
ship with the shipping public and so  
as to relieve existing and future un-  
due burdens on the highways; making  
it unlawful for a motor carrier to  
operate a motor-propelled vehicle un-  
less such vehicle is operated by a  
driver holding an unrevoked and un-  
cancelled license issued by the Com-  
mission; giving the Commission the  
power and imposing upon it the duty  
to approve or disapprove the nature  
and character of equipment used and  
the amount and character of tonnage  
carried and the number, size and  
method of loading containers of any  
commodity carried on any vehicle  
operated by a motor carrier under a  
permit or certificate; providing for  
the sale, lease, assignment or trans-  
fer of certificates under certain con-  
ditions and subject to the approval  
or disapproval of the Commission;  
prescribing the length of time a motor  
carrier may require or permit any  
driver or helper to remain on con-  
tinuous duty with exception in cases  
of a certain specified emergency and  
providing venue for prosecution for  
violations of this provision; provid-  
ing for the carrying and displaying  
of identification cards setting out the  
certificate or permit number and cer-  
tain other information in the cab of  
each motor vehicle operated under  
this act, and making it unlawful to  
display such card or other insignia of  
authority from the Commission after  
the same has expired or been can-  
celled; providing the method for se-  
curing of certificates of convenience  
and necessity and permits, the requi-  
sites of applications therefor, for  
hearings on said applications, for the  
summoning of, the attendance of, the  
examining of and the fees for wit-  
nesses, for the filing of written opin-  
ions by the Commission in contested  
hearings, and giving the Commission  
power under certain conditions to re-  
voke, suspend or amend any certifi-  
cate or permit and providing for ap-  
peals from the decisions of the Rail-  
road Commission of the State of  
Texas; providing the method for se-  
curing of certificates and permits by  
motor carriers lawfully operating  
under the present law; providing that



no permit shall be granted to any person holding a certificate and that no certificate shall be granted to any person holding a permit and that no vehicle shall be operated with both a permit and a certificate; providing for the issuance of special permits to persons engaged in transporting certain specified commodities; providing for the issuance of special identification plates for motor carrier vehicles, and prescribing fees therefor; providing for the payment of annual fees for each motor vehicle operated by a motor carrier for the creation of a fund for administering the act; providing that no person now lawfully authorized to operate as a motor carrier under the present law and who has paid annual fees for the year ending September 1, 1931, shall be required to pay any additional fees; providing a portion from sales of certificates shall go to the State Treasurer for the benefit of the State Highway Fund; appropriating a fund for the administration of the act in the event revenues from licenses and fees are insufficient for that purpose; requiring that, before any certificate or permit shall be issued and before any motor carrier may lawfully operate, such motor carrier shall file with the Commission bonds and insurance policies covering loss or damages from personal injury or loss of or injury to property and containing certain designated terms, and providing that any permit will automatically expire if such insurance is not kept in force, and providing that each motor carrier shall protect his employees by taking out workmen's compensation insurance; giving any authorized inspector for the Commission power and authority to make arrests for violations of this act; making the violation of any provision of the act or any lawful ruling or order of the Commission a misdemeanor and imposing a penalty and, in addition, providing for the recovery of penalties by the State for the violation of any provision of the act or for the violation of any lawful rule or order of the Commission; providing for the remedy of injunction to enforce the act; making the giving or receiving of any commission or other consideration as an inducement to secure the transportation of property by motor carrier a misdemeanor and imposing a penalty; making the giving by any common carrier motor carrier or the

receiving by any shipper of any rebate, directly or indirectly, a misdemeanor and imposing a penalty; making the charging, demanding, contracting for, collecting or receiving by any motor carrier operating as a contract carrier, of a less compensation for any service than is prescribed therefor by the Commission or the procuring, aiding or abetting any contract carrier in so doing a misdemeanor and imposing a penalty; declaring the public policy of this State with reference to the business of transporting property for hire by means of motor vehicles over the highways of this State and declaring that the business of a motor carrier is impressed with the public interest; repealing all laws and parts of laws in conflict herewith; providing that if any part of this act is declared unconstitutional such decision shall not affect the validity of the remaining portions of the act, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,  
Austin, Texas, May 16, 1931.  
Hon. Fred H. Minor, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 964, "An Act releasing the inhabitants of and property in Orange county from the payment of nine-tenths (9/10) of the ad valorem taxes levied for State purposes for a period of twenty-five (25) years; providing generally the means and manner thereof; providing for the establishment of a conservation and reclamation district in said county, and the means, manner and time thereof, and for the issuance of bonds by said district, and for the collection of said taxes and creation of a sinking fund out of which said bonds and interest shall be paid, in the same manner as bonds are now authorized to be issued and paid; providing the purposes of said district; prescribing certain limitations and conditions; providing generally for the carrying out of the purposes hereof, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,  
Austin, Texas, May 15, 1931.

Hon. Fred H. Minor, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. B. No. 818, "An Act authorizing  
the commissioners courts of all coun-  
ties adjacent to the Gulf of Mexico  
to issue time warrants bearing inter-  
est not exceeding eight per cent  
(8%) per annum to be used in the  
payment either by outright purchase,  
or after condemnation proceedings, of  
lands for right of way and dumping  
ground purposes for an intracoastal  
canal, and declaring an emergency,"

Have carefully compared same and  
find it correctly engrossed.

BOUNDS, Vice-Chairman.

Committee Room,  
Austin, Texas, May 16, 1931.

Hon. Fred H. Minor, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. B. No. 480, "An Act defining the  
north white wing zone and the south  
white wing zone and amending Ar-  
ticle 879a of Chapter 74 of the Gen-  
eral and Special Laws of the Regular  
Session of the Forty-first Legislature,  
which article relates to the open sea-  
son on white wing doves, and declar-  
ing an emergency,"

Have carefully compared same and  
find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,  
Austin, Texas, May 16, 1931.

Hon. Fred H. Minor, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. B. No. 336, "An Act to amend  
Chapter 42, General Laws of the  
State of Texas, Forty-first Legisla-  
ture, Second Called Session, so as to  
further regulate the operation of ve-  
hicles on the public highways; de-  
fining the term 'vehicle'; making it  
unlawful to operate or cause to be  
operated a vehicle of a size or weight  
exceeding the limitation prescribed in  
this act, with exceptions providing  
for permits for certain vehicles and  
loads exceeding the limitations pre-  
scribed in this act; prescribing the  
width, height and length of vehicles  
and combinations of vehicles and  
loads which may be lawfully operated

on public highways; limiting the ex-  
tent to which any part of the load  
may extend beyond the front or rear  
of any vehicle or vehicles; limiting  
the extent that any load may extend  
beyond the sides of any passenger  
vehicle; making it unlawful to op-  
erate any motor vehicle having a load  
in any container, box or binding con-  
taining more than thirty (30) cubic  
feet and weighing more than five hun-  
dred (500) pounds where there are  
more than fourteen (14) of such con-  
tainers upon any vehicle or combina-  
tion thereof; providing for the dis-  
playing of red flags or red lights  
whenever the load or drawbar or  
coupling of a vehicle extends beyond  
the rear or the bed or the body  
thereof; prescribing the maximum  
load that may be carried on public  
highways by any commercial motor  
vehicle, truck-tractor, trailer or semi-  
trailer, or combination or train of  
such vehicles, operating outside of  
the limits of an incorporated city or  
town, and prescribing the maximum  
weight per inch width of tire for any  
motor vehicle that may be operated  
on a public highway; providing that  
such provisions as to maximum load  
and maximum weight per inch width  
of tire shall not become effective until  
January 1, 1932; providing that ap-  
plicants for registration of any com-  
mercial motor vehicle, truck-tractor,  
trailer or semi-trailer shall make and  
deliver to the tax collector an affi-  
davit showing the weight of the vehi-  
cle, which weight shall also be shown  
on the license receipt which shall be  
carried on any such vehicle at all  
times, and making said affidavit  
prima facie evidence of the weight  
of said vehicle; providing certain ex-  
ceptions to the limitations imposed by  
this act as to length of vehicle or  
combination of vehicles and weight  
of loads, and of height of vehicle  
with load when such vehicle is used  
only to transport property by way  
of the shortest practicable route over  
the public highway under specified  
conditions; regulating the number of  
trailers which may be drawn by or  
attached to any motor vehicle; lim-  
iting the length of the drawbar or  
other connection between any two  
vehicles; regulating the speed of ve-  
hicles, commercial motor vehicles and  
motor vehicles transporting passen-  
gers for hire; providing for the car-  
rying of certain clearance lamps or  
reflectors and lamps or lanterns on

certain vehicles, and prescribing an exception for vehicles drawn by animal power; requiring the keeping of certain lamps on vehicles lighted under certain conditions; providing that it shall be unlawful to operate any vehicle upon the highway with a red light visible directly from the front thereof, with exceptions; prescribing character of and regulating use of brakes, horns and warning devices; providing that every motor vehicle engaged in the transportation of passengers for hire shall be equipped with a fire extinguisher; providing that it shall be unlawful for any person to operate, or permit to be operated, any commercial motor vehicle of over one-ton carrying capacity upon the highway without having a chauffeur's license; making the violation of any provision of this act a misdemeanor, and fixing and providing penalties and punishments; reserving certain powers to governing bodies of cities and towns; providing that the unconstitutionality of any part or parts of this act shall not affect the validity of the remaining parts thereof; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

#### FIFTY-SEVENTH DAY.

(Monday, May 18, 1931.)

The House met at 9 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Minor.

The roll was called, and the following members were present:

Mr. Speaker.	Burns
Adams of Jasper.	of McCulloch.
Adamson.	Carpenter.
Adkins.	Caven.
Akin.	Coltrin.
Albritton.	Cox of Lamar.
Alsup.	Cox of Limestone.
Anderson.	Dale.
Baker.	Daniel.
Barron.	Davis.
Beck.	DeWolfe.
Bedford.	Dodd.
Bond.	Donnell.
Bounds.	Dowell.
Boyd.	Dunlap.
Brice.	Dwyer.
Brooks.	Elliott.
Bryant.	Farmer.
Burns of Walker.	Farrar.

Ferguson.	Magee.
Finn.	Mathis.
Fisher.	Mehl.
Forbes.	Metcalf.
Ford.	Moffett.
Fuchs.	Moore.
Gilbert.	Munson.
Giles.	Murphy.
Goodman.	Nicholson.
Graves.	Olsen.
Greathouse.	O'Quinn.
Grogan.	Patterson.
Hanson.	Petsch.
Hardy.	Pope.
Harman.	Ramsey.
Harrison	Ratliff.
of El Paso.	Ray.
Harrison	Richardson.
of Waller.	Rountree.
Hatchitt.	Sanders.
Herzik.	Satterwhite.
Hill.	Savage.
Hines.	Scott.
Holland.	Shelton.
Hoskins.	Sherrill.
Hubbard.	Smith of Bastrop.
Hughes.	Smith of Wood.
Jackson.	Sparkman.
Johnson	Stephens.
of Dallam.	Stevenson.
Johnson	Steward.
of Dimmit.	Strong.
Johnson of Morris.	Sullivant.
Jones of Shelby.	Tarwater.
Jones of Atascosa.	Terrell
Justiss.	of Val Verde
Kayton.	Towery.
Keller.	Turner.
Kennedy.	Van Zandt.
Laird.	Vaughan.
Lasseter.	Veatch.
Lee.	Wagstaff.
Lemens.	Walker.
Leonard.	Warwick.
Lilley.	Weinert.
Long.	West of Coryell.
McCombs.	West of Cameron.
McDougald.	Wiggs.
McGill.	Wyatt.
McGregor.	Young.

#### Absent.

Adams of Harris.	Howsley.
Bradley.	Martin.
Coombes.	Morse.
Cunningham.	Westbrook.
Duvall.	

#### Absent—Excused.

Claunch.	Lockhart.
Engelhard.	Reader.
Hefley.	Rogers.
Holder.	Terrell
Holloway.	of Cherokee.

A quorum was announced present.